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26 Attorneys for Plaintiffs  
27 SUSAN K. MYERS, MICHAEL F. MYERS  
28 and KEITH J. GOTT

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**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEVADA**

18 SUSAN K. MYERS, individually and as  
19 trustee of the Susan K. Myers Living Trust  
20 dated January 8, 2001, MICHAEL F.  
21 MYERS, individually and as trustee of the  
22 Susan Myers Massachusetts Trust, dated July  
23 11, 2008, and KEITH J. GOTT, as trustee of  
24 the Michael F. Myers Massachusetts Trust,  
25 dated October 23, 2008, and the Michael F.  
26 Myers Massachusetts Trust, dated December  
27 3, 2008,

**Case No: 3:10-cv-258-RCJ-WGC**

**STIPULATION FOR DISMISSAL OF  
ACTION WITH PREJUDICE**

Plaintiffs,

v.

28 JAMES ARCHIBALD and PORT CAPITAL  
29 MANAGEMENT LLC, a limited liability  
30 company,

Defendants.

1 IT IS HEREBY STIPULATED AND AGREED, by and between plaintiffs Susan K.  
2 Myers, Michael F. Myers, and Keith J. Gott and defendants James Archibald and Port Capital  
3 Management LLC, through undersigned counsel, that this action is DISMISSED WITH  
4 PREJUDICE.

5 DATED: December 28, 2011 KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

6  
7 By: /s/ Charles N. Freiberg  
Charles N. Freiberg (Admitted *Pro Hac Vice*)  
101 California Street, Suite 2300  
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9 Attorneys for Plaintiffs  
10 Susan K. Myers, Michael F. Myers, and Keith J. Gott

11 DATED: December 28, 2011 BOWDITCH & DEWEY LLP

12 By: /s/ Louis M. Ciavarra  
13 Louis M. Ciavarra (Admitted *Pro Hac Vice*)  
14 311 Main Street  
Worcester, MA 01608

15 Attorneys for Defendants  
16 James Archibald and Port Capital Management LLC

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